

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA ex rel.
STEPHEN DEAN,

Plaintiffs,

v.

PARAMEDICS PLUS, L.L.C., et al.,

Defendants.

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Civ. No. 4:14-CV-203

JURY TRIAL DEMANDED

ETMC DEFENDANTS' REPLY TO UNITED STATES' RESPONSE TO ETMC
DEFENDANTS' EMERGENCY MOTION TO QUASH

To the Honorable Court:

Defendants Paramedics Plus, LLC (õParamedics Plusö), East Texas Medical Center Regional Healthcare System (õETMC Systemö), East Texas Medical Center Regional Health Services, Inc. (together with ETMC System, õETMCö) (collectively the õETMC Defendantsö) file this Reply to United States' Response to ETMC Defendants' Emergency Motion to Quash and would respectfully show:

In its reply, the government misstates that the primary issue that the ETMC Defendants have with the Government's Motion is that they failed to meet and confer in accordance with the local rules.¹ This is not the case. While the ETMC Defendants do contend that the United States failed to meet and confer in accordance with the local rules, the ETMC Defendants chief complaint with the government's motion is that they did not and cannot show the necessary

¹ Apparently the government believes it is exempt from the local rules meet-and-confer requirements because it is the government, and because motions for garnishment are exempt from the local rules meet-and-confer requirements. However, the United States did not file a motion for garnishment, a post-judgment remedy, but instead filed a pre-judgment motion for sequestration, an extraordinary remedy, which is not listed on the motions exempt from the local rules meet-and-confer requirement. Nor does the United States contend Motions for Sequestration are listed. Their argument, then, is that such motions õshould beö exempt from the local rules meet-and-confer requirements. But they are not.

proof in order to be entitled to an order for sequestration. The ETMC Defendants expect to be able to show that the United States is not entitled to such relief upon hearing of the Court. The ETMC Defendants were unable to fully brief this issue because the government's manufactured "emergency" created a *real* emergency for the ETMC Defendants in that if such order is not dissolved today, the planned sale will not go forward, and ETMC will default on its bonds, putting healthcare in East Texas at jeopardy. For such reason, the ETMC Defendants request a hearing on this matter as soon as possible today.

Date: February 27, 2018

Respectfully submitted,

By: /s/ Otis Carroll

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CERTIFICATE OF SERVICE

By my signature below, I do hereby certify that on February 27, 2018, a true and correct copy of the foregoing documents was filed using the Court's electronic filing system, which will provide notice to all parties of record, specifically:

James Gillingham
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By: /s/ Otis W. Carroll
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